

91st Illinois General Assembly Senate Transcript

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

35th Legislative Day

April 27, 1999

PRESIDING OFFICER: (SENATOR DUDYCZ)

The regular Session of the 91st General Assembly will come to order. Will the Members please be at their desks, and will our guests in the gallery please rise? Our prayer today will be given by Pastor John Hamilton, Laurel United Methodist Church, in Springfield, Illinois. Pastor Hamilton.

PASTOR JOHN HAMILTON:

(Prayer by Pastor John Hamilton)

PRESIDING OFFICER: (SENATOR DUDYCZ)

Please remain standing for the Pledge of Allegiance. Senator Sieben.

SENATOR SIEBEN:

(Pledge of Allegiance, led by Senator Sieben)

PRESIDING OFFICER: (SENATOR DUDYCZ)

Reading of the Journal. Senator Myers.

SENATOR MYERS:

Mr. President, I move that reading and approval of the Journal of Monday, April 26th, in the year 1999, be postponed, pending arrival of the printed Journal.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Myers moves to postpone the reading and approval of the Journal, pending arrival of the printed transcripts. There being no objection, it is so ordered. Committee Reports.

SECRETARY HARRY:

Senator Robert Madigan, Chair of the Committee on Insurance and Pensions, reports House Bills 1348 and 1469 Do Pass; House Bills 133 and 1622 Do Pass, as Amended.

Senator Dillard, Chair of the Committee on Local Government, reports House Bills 153, 321, 525, 541, 727, 841, 843, 895, 901, 1151, 1790, 1960 and 2298 Do Pass; House Bill 845 Do Pass, as Amended; and House Joint Resolution 8 Be Adopted.

And Senator Syverson, Chair of the Committee on Public Health

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and Welfare, reports House Bills 240, 721, 1308, 1565, 1713, 1832, 1942, 2026, 2216, 2256, 2303, 2676, all Do Pass; House Bills 427, 1732, 1839, 2217 and 2308 Do Pass, as Amended; and Senate Resolution 71 Be Adopted, as Amended.

PRESIDING OFFICER: (SENATOR DUDYCZ)

House Bills 1st Reading.

SECRETARY HARRY:

House Bill 1502, offered by Senator Molaro.

(Secretary reads title of bill)

And House Bill 1569, offered by Senator Dillard.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Bomke, what purpose do you rise?

SENATOR BOMKE:

Thank you, Mr. President. Point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR BOMKE:

I'd like to introduce to the Illinois State Senate Mrs. Morrow's Cathedral School kids; the eighth-grade class are in the visitor's gallery, behind the Democrats. If they would please rise, and please help me welcome them.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will our guests in the gallery please rise and be recognized? Welcome to Springfield. Senator Burzynski, what purpose do you rise?

SENATOR BURZYNSKI:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR BURZYNSKI:

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Thank you, Mr. President. In the gallery behind me here, we're very pleased and honored to have with us today the Honorable Judge Jack Roe, with a group of students from Ogle County, from Focus House. I'd like for them to stand and be recognized.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will our guests in the gallery please rise and be recognized? Welcome to Springfield. If the Members will turn to the middle of page 8 in the Order of House Bills 2nd Reading, we will be going to that Order of Business immediately. House Bills 1st Reading.

SECRETARY HARRY:

House Bill 860, offered by Senator Wendell Jones.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

In the middle of page 8, in the Order of House Bills 2nd Reading, is House Bill 152. Senator Dillard. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 152.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Commerce and Industry adopted one amendment.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Are there any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 245. Senator Burzynski. Senator Burzynski. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 245.

(Secretary reads title of bill)

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2nd Reading of the bill. The Committee on Licensed Activities adopted one amendment.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 471. Senator Dillard. Out of the record. House Bill 542. Senator Radogno. Senator Radogno. House Bill 553. Senator Burzynski. Read the -- read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 553.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On the top of page 9, in the Order of House Bills 2nd Reading, is House Bill 555. Senator Syverson. Senator Syverson. House Bill 620. Senator Burzynski. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 620.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 675. Senator Madigan. Robert Madigan. House Bill 1113. Senator Madigan. Robert Madigan. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1113.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Licensed Activities

adopted one amendment.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Out of the record. House Bill 1464. Senator Dillard. Read the bill.

SECRETARY HARRY:

House Bill 1464.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Executive adopted one amendment.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Are there any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill -- House Bill 1678. Senator Rauschenberger. Senator Rauschenberger. House Bill 1926. Senator Sullivan. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 1926.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on State Government Operations adopted one amendment.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 2218. Senator Cronin. Senator

Cronin. House Bill 2283. Senator Donahue. Senator Donahue.
House Bill 2518. Senator Rauschenberger. Senator Rauschenberger.
House Bill 2519. Senator Rauschenberger. Senator Rauschenberger.

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House Bill 2630. Senator Geo-Karis. House Bill 2793. Senator Rauschenberger. Senator Rauschenberger. House Bill 2794. Senator Rauschenberger. Senator Rauschenberger. For the information of the Membership, Senator Luechtefeld has a special guest, which has joined us this afternoon. Please pay close attention to Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President, Members of the Senate. I am honored this afternoon, something that doesn't happen very often, to introduce to you a person -- constituent from my district who is Miss Illinois USA. As you can see, she -- she's a lot prettier than I am. You don't think so? Yes, she is. Definitely. Her name is Christina Lam. She's twenty years old. She's from Carbondale, Illinois. She is a student at John A. Logan College, majoring in entertainment business, and would like to talk to you today about ovarian and breast cancer. These are her -- the topics that she is trying to get across to the public and -- and

certainly make them aware of it. Her parents, Mr. and Mrs. John Lam, are in the balcony behind the Democrats, on that side. So, again, if you would give her a very warm welcome and hopefully pay close attention to what she has to say. Thank you.

MISS ILLINOIS USA CHRISTINA LAM:

(Remarks by Miss Illinois USA, Christina Lam)

PRESIDING OFFICER: (SENATOR DUDYCZ)

Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to the Committee on Appropriations - Senate Amendment 2 to Senate Bill 580; refer to the Committee on Commerce and Industry - Senate Resolution 85; to the Committee on Education - House Bills 124, 230, 534, 1274, 1816 and 2188; to the Committee on Environment and

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Energy - House Bills 47 and 2016; to the Committee on Executive - House Bills 167, 702 and 2163; to the Committee on Financial Institutions - House Bills 429 and 1740; to the Committee on Insurance and Pensions - House Bills 1697 and 2713; to the Committee on Judiciary - House Bills 227, 408, 526, 1195, 1278,

1511, 1774, 1813, 2219, 2726 and 2727; re-referred from the Committee on Judiciary to the Rules Committee - House Bills 124, 230 and 1816; refer to the Committee on Local Government - House Bills 860, 887, 2281; to the Committee on Local Government -- or re-referred from the Committee on Local Government to the Rules Committee is House Bill 1124; refer to the Committee on Public Health and Welfare - House Bills 733, 1452, 1773, 2170, 2196, 2627 and 2783; to the Committee on Revenue - House Bills 305, 578, 1905 and 2648; to the Committee on State Government Operations - House Bill 1282; and to the Committee on Transportation - House Bills 286, 1326, Senate Amendment 1 to House Bill 2630, and Amendment 1 to House Bill 2792.

PRESIDING OFFICER: (SENATOR DUDYCZ)

We will be going to 3rd -- House Bills 3rd Reading shortly. We plan to have committees meet at -- promptly at one, but for the next fifteen minutes, we will be going through the Order of House Bills 3rd Reading. So will the Members prepare their bills? Senator Bowles, what purpose do you rise?

SENATOR BOWLES:

Thank you, Mr. President. I rise for a point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR BOWLES:

I have as a guest today on the Floor the State's Attorney from Madison County, Mr. William Haine. Bill has -- is the first State's attorney who was reelected to a third term in the history

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of our county.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome to Springfield. Senator Clayborne, what purpose do you rise?

SENATOR CLAYBORNE:

I also rise for a point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR CLAYBORNE:

Behind me is my State's Attorney in -- of St. Clair County, as well as my former boss, Bob Haida. I'd like for him to be welcomed.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome to Springfield. Senator Burzynski, what purpose do you rise?

SENATOR BURZYNSKI:

Thank you, Mr. President. Point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR BURZYNSKI:

Thank you. Today, I'm also very pleased to have another group

visiting with us. A group of eighth graders representing the school districts in DeKalb County are here as part of the DeKalb County Farm Bureau's Youth In Government Day. And I'd like for them to be recognized by the Senate.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will our guests in the gallery please rise and be recognized? Welcome to Springfield. Senator Rauschenberger, what purpose do you rise?

SENATOR RAUSCHENBERGER:

For purposes of an announcement. This afternoon in Appropriation hearing, more than an hour from now, because that's

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the requirement, we're going to hear Amendment No. 2 to Senate Bill 580. It's an amendment to the supplemental appropriation bill. So that's -- announce for the Members of the Body if you want to see the appropriation discussions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Thank you, Senator Rauschenberger. Senator Myers, what purpose do you rise?

SENATOR MYERS:

Mr. President, a point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point, ma'am.

SENATOR MYERS:

I have with me today Mr. Tom Leonard. He's a member of the American Indian Council of Illinois. I'm pleased to have him here. He's a member of the Ojibwe Tribe.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome to Springfield, sir. If you turn your Calendars to the top of page 5, to the Order of House Bills 3rd Reading, is House Bill 7. Senator Weaver. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 7.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President and Members of the Senate. House Bill -- Bill 7 has to deal -- do with General Assembly scholarships. For many years, we've been debating this issue. The House continually votes to do away with them. The Senate continually votes to keep them. I've been on both sides of the issue. I would just like to try to get some resolution here. If

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the House doesn't want them, why, fine, let's accede to their request and pass House Bill 7. As amended -- as amended, the Senate would remain eligible to issue the same number of scholarships. Some have mentioned that maybe we should take over the House scholarships and all the Senate -- take all the House scholarships, but I thought that was kind of going a little too far. So I'd appreciate your consideration. If there's any questions, I'll be happy to answer them.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 7 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 46 Ayes, 5 Nays, none voting Present. And House Bill 7, having received the required constitutional majority, is declared passed. House Bill 107. Senator Clayborne. Senator Clayborne. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 107.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. -- Mr. President. House Bill 107 requires the Department of...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Excuse me, Senator Clayborne.

SENATOR CLAYBORNE:

Yes, sir.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Clayborne.

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SENATOR CLAYBORNE:

Thank you, again, Mr. President. House Bill 107, Senate Amendment 1, requires the Department of Central Management Services to verify an applicant's veteran status before granting him a preference by requiring the applicant's most recent DD214 or other evidence of the applicant's most recent honorable discharge from the U.S. Armed Services that is determined to be acceptable by -- CMS. This -- this language is more specific and -- and gives the CMS the authority to require this specific document. If there are any questions, I'll be open for any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Shadid.

SENATOR SHADID:

Point of personal privilege, Mr. Chairman.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR SHADID:

I have two gentlemen, State's Attorney Ed -- Danner from Fulton County and State's Attorney Ted Hamer from Henry County, that are in our audience today. Give 'em a big hand, would you please?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome to Springfield. Any further discussion? If not, the question is, shall House Bill 107 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And House Bill 107, having received the required constitutional majority, is declared passed. House Bill 287. Senator Donahue. Senator Donahue. House Bill 325. Senator Burzynski. House Bill 329. Senator Cullerton. Senator Cullerton. House Bill 335. Senator Watson. Senator Watson.

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House Bill 379. Senator Mahar. Senator Mahar. House Bill 392.
Senator Karpiel. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 392.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Karpier.

SENATOR KARPIEL:

Thank you, Mr. President. House Bill 392 amends the Counties Code, the (Unified) Code of Corrections and the County Jail Act to provide that when a pregnant inmate is being transported to the hospital in labor to deliver a baby, during delivery and on the way back from the hospital that prisoner cannot be put in shackles, irons or restraints.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 392 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. And House Bill 392, having received the required constitutional majority, is declared passed. House Bill 604. Senator Fawell. House Bill 779. Senator Watson. Senator Watson. House Bill 881. Excuse me. 811. Senator Cronin. House Bill 835. Senator Jacobs. House Bill 902. Senator Burzynski. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 902.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a rewrite of the Real Estate (License) Act. Current Act sunsets this year and this is an extension of that. Maintains the same basic licensing requirements and regulatory structures as exists in current law, but reorganizes and updates other aspects of the Real Estate Act. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 902 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And House Bill 902, having received the required constitutional majority, is declared passed. House Bill 1061. Senator Philip. Senator Philip. ...page 6, in the Order of House Bills 3rd

Reading, is House Bill 1110. Senator Peterson. Madam Secretary,
read the bill.

ACTING SECRETARY HAWKER:

House Bill 1110.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. House Bill 1110 would address the
gray market regarding cigarette sales. Cigarette manufacturers
now make cigarettes of lesser quality for sale in other countries.
These cigarettes carry a notice on the side of each pack, "U.S.
Tax Exempt, for use outside U.S.", and these packs also can be

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distinguished by a more milder Surgeon General's warning regarding
health hazards. Lot of these cigarettes are -- are bought and
then brought back into this country. This bill seeks to eliminate
these cigarettes by prohibiting the affixing of tax stamps to
them, making them subject to detection by State auditing
officials. Ask for your support of 1110.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 1110 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And House Bill 1110, having received the required constitutional majority, is declared passed. House Bill 1155. Senator Lauzen. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 1155.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. House Bill 1155 establishes the Prostate Cancer Research (Fund) checkoff, a voluntary checkoff on the personal income tax return. I would just, again, express my appreciation for the Members of this Chamber who have cosponsored this version. It's the same version as came through the Senate practically unanimously about a month ago.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 1155 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all

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voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And House Bill 1155, having received the required constitutional majority, is declared passed. Is there any further business to come before the Senate? If not, Senator Weaver moves that the Senate stand adjourned until the hour of noon, Wednesday, April 28th.

